THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NOs: 17380, 22384 and 23667 of 2007

W.P.No.17380 of 2007

DATED: 18.12.2007

Between:

Basava Appa Rao Reddy and others.

Petitioners

And

The Government of Andhra Pradesh represented by its Principal Secretary, Cooperation Department, Secretariat, Hyderabad and others.

Respondents

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NOs: 17380, 22384 and 23667 of 2007

COMMON ORDER:

Since the issues involved in these three writ petitions are inter related, they are heard together and are being disposed of by this common order.

While Writ Petition No.17380 of 2007 is filed to declare the action of respondents 1 to 4 in not conducting elections to the 5th respondent society viz., the State Government Gazetted Officers House Building Society, Visakhapatnam (for short 'the society') and the admission of new members by the Person-in-charge Committee as arbitrary, illegal and contrary to the judgment of the Apex Court in **Joint Registrar of Cooperative Societies vs. T.A.Kuttapan**[1], Writ Petition No.22384 of 2007 is filed questioning the appointment of the 5th respondent as the Election Officer to conduct elections to the said society on the ground that the same is contrary to Rule 22(2)(b)(i)(ii) of the A.P.Cooperative Societies Rules, 1964. Writ Petition No.23667 of 2007 is filed to declare the proceedings of the 4th respondent dated 26.10.2007 directing finalisation of the eligible voters list and to obtain the approval of revised election schedule as illegal and consequently to direct the respondents to continue the election process from where it has been stopped.

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Cooperation at length.

It is stated that the petitioners in Writ Petition No.22384 of 2007 have already filed W.P.No.11465 of 2007 before this Court questioning the action of the official respondents in conducting elections to the society with ineligible members and this Court disposed of the said writ petition on 5.6.2007 leaving it open to the petitioner therein to raise objections and point out his grievances as and when the draft voters list is published as required under Rule 22 of the Rules and the official respondents were directed to consider those objections before finalising the voters list. The same petitioner has now filed W.P.No.22384 of 2007 challenging the appointment of the 5th respondent therein as the Election Officer.

It is submitted by the learned Government Pleader that already election process started but because of the pendency of the writ petitions, they are unable to proceed further.

Though several contentions have been urged by all the parties, ultimately all the parties have agreed to dispose of the writ petitions in the following manner.

1. The learned Government Pleader seeks eight weeks time to complete the entire election process for which the petitioners also agree. Therefore, the District Collector-cum-Election Officer is directed to complete the election process within a period of eight weeks from the date of receipt of a copy of this order.
2. In view of the orders passed by this Court in W.P.No.11465 of 2007 dated 5.6.2007 to consider the objections raised by the petitioner whenever draft voters list is published, the Election Officer is directed to consider the objections raised by the petitioner as per the orders of this Court in the said writ petition before finalising the voters list.

With the above directions, the writ petitions are disposed of. No costs.

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N.V.RAMANA,J

DATE: 18.12.2007

msv

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[1] 2000(6) SCC 127